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DATE: May 11, 2010 FILE: WH-11979 US

TO: THE COMMISSIONER OF PATENTS AND TRADEMARKS

ATTN: Examiner Milap Shah ART UNIT: 3714

FAX NO.: (571) 273-8300

FROM: S. WARREN HALL

TOTAL NO. OF PAGES
INCLUDING COVER SHEET IS 5

MESSAGE: This Notice of Appeal is in response to the Final Action dated November 12, 2009 for US Application SN 10/809,329 and is being transmitted by facsimile to The Commissioner of Patents and Trademarks on May 11, 2010.


Sarah J. Hennessey, Assistant to
S. Warren Hall, Registration No. 30,350
Agent on behalf of Applicant
tel. (416) 368-8313

If you do not receive all pages, please call: Sarah J. Hennessey, ext. 147 at (416) 368-8313.

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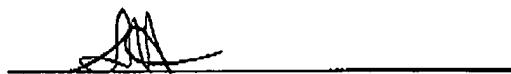
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Sarah Hennessey
Facsimile No. (416) 368-1645

May 11/10
May 11, 2010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Valery Levitan et al.
For: GAME SYSTEM FOR HANDHELD PERSONAL
DEVICES
Serial No.: 10/809,329
Filed: March 26, 2004
Art Unit: 3714
Our Reference: WH-11 979US

133 Richmond Street West
Toronto, Ontario M5H 2L7

Commissioner for Patents
P.O. Box 1450
Alexandria, VA
U.S.A. 22313-1450

May 11, 2010

Attention: Examiner Milap Shah

Dear Sir:

NOTICE OF APPEAL

A Final Action dated 11/12/2009 was received with respect to the above-identified application. Claims 1-8, 11, 12, 14-16, and 18-24 are pending in the application and were rejected as being obvious in light of Emmerson US Patent Application No. 2002/0103019 in combination with a number of further references.

The Applicant encloses herewith a Notice of Appeal of the rejection of all of the above claims.

Also enclosed is a three month extension of time under 37 CFR 1.136(a).

Application No. 10/809,329
Notice of Appeal dated May 11, 2010
Reply to Final Action of November 12, 2009

Page 2

The enclosed forms provide authorization for the various fees to our deposit account as a small entity.

Respectfully submitted,



Agent on behalf of Applicant
S. Warren Hall
Registration No. 30,350
(416) 368-8313

WH/sjh
Encl.